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Nisei Parents File California Suit Against Education Code Permitting Race Segregation

LOS ANGELES—The Nisei parents of Takao Aratani, 8-years of age, filed suit in Superior court on the boy's behalf on Dec. 12, challenging the constitutionality of a California law which permits separate schools for children of Indian, Chinese, Japanese and Mongolian ancestry.

The suit is sponsored jointly by the National Japanese American Citizens League and the American Civil Liberties Union and was filed by A. L. Wirin and Fred Okrand on behalf of Mr. and Mrs. Shigemi Aratani.

Mr. Aratani, pre-war president of the Los Angeles JACL, is a veteran of the 442nd Combat team.

The suit admitted that the boy is attending the Amelia street school of Los Angeles on an unrestricted basis but contended that sections 8003 and 8004 of the State Education Code violate the 14th Amendment of the U. S. Constitution and sections of the California Constitution.

The action declared that the sections in question authorize the governing board of any school district to establish "separate schools for children . . . and descendants, they will not be permitted into any other schools."

The complaint alleged that Takao Aratani can be required to attend a separate school under the present provisions of the education code.

Escheat Proceedings Filed in Madera

MADERA, Calif. — Charging violation of the Alien Land law, the State of California last week filed a suit to escheat the property of Nobuichi Nino in Madera. The property consists of 22 acres of rural land and two lots in Madera.

Sociologist Finds Persons With Greater Knowledge of Nisei Have Most Favorable Attitude

SANTA BARBARA, Calif. — Persons who have the greater knowledge about people of Japanese ancestry have the most favorable attitude toward Japanese Americans, according to a report made public last week by Dr. Gwynne Nettler, associate professor of sociology at Santa Barbara college, University of California, the Santa Barbara Free Press reported.

From widely scattered sections of the nation, Dr. Nettler has compiled statistics on public attitudes toward persons of Japanese ancestry. He also has measured whether the persons interviewed had had genuine knowledge about Japanese Americans or had formed opinions without a basis of fact.

His conclusions recently were published in the American Journal of Sociology and the American Sociological Review.

Dr. Nettler was quick to point out that acquaintance with families of Japanese descent did not necessarily indicate accurate knowledge about them, and as a result some persons who had been living near them sometimes know less about Japanese Americans than those more distant.

It was also stressed by Dr. Nettler that although persons with greatest accurate knowledge about people of Japanese ancestry have the most favorable attitude toward them, it cannot be said that those who lack this information necessarily have unfavorable attitudes.

"The idea back of the study," he explained, "was to determine what motivates people's beliefs in their favorable or unfavorable attitude toward minorities. Frequently, people have a racial attitude because they claim they 'know' that particular group; in this study an effort was made to ascertain if they really had that information."

In the first of the studies, Dr. Nettler interviewed 15 members of

Organize First All-Nisei Post Of VFW Group

SACRAMENTO Group Elects Dr. Harada Temporary Commander

SACRAMENTO—The organization of the first all-Nisei post of the Veterans of Foreign Wars was being completed this week by Japanese American veterans of World War II.

A meeting was held on Dec. 27 at the Buddhist church recreation hall.

The post will be the first VFW unit in the country to be composed wholly of Japanese American veterans.

Permanent officers will be elected at the Jan. 7 meeting of the group.

Dr. Y. Harada who served with the 442nd Combat Team overseas was named temporary chairman at a preliminary meeting on Dec. 18 at the courthouse. K. K. Oshima was named temporary adjutant and Yasuo Mori was appointed temporary quartermaster.

The VFW also has Chinese and Filipino chapters on the West Coast.

the American Legion post at Hood River, Ore., which removed the names of 16 Japanese American soldiers from its honor roll in Dec., 1944, and other obviously pro and anti-Japanese groups.

His second study, from which his main conclusions were drawn, was based on viewpoints of students at UCLA and the University of Washington at Seattle, both on the Pacific Coast in close proximity to the problem; the College of Metallurgy in El Paso and two groups in St. Louis, the Young Men's Hebrew Association and Harris Technical College.

"The survey showed that students at Seattle, where there is a large concentration of those of Japanese descent, did not know significantly more about the Japanese than did groups in St. Louis," Dr. Nettler observed.

To put his survey on a purely factual basis, Dr. Nettler measured specific information about the many persons interviewed through two information tests, one containing 24 questions and the other 16. Thus, statistically, he determined whether those who claimed to "know" about persons of Japanese ancestry actually did have facts or merely unfounded prejudice.

He pointed out that many persons without accurate information had favorable attitudes, indicating that they, in general, had goodwill attitudes toward minority groups, whether or not they knew them.

Asked whether these results were true of all minority groups, Dr. Nettler replied that as a scientist, he could not yet make such an application. However, he cited a survey made by E. L. Horowitz, New York psychologist, who asked a number of persons whether or not they liked other races, inserting three non-existent races, which he called Danierians, Wallonians and Pinreans. Horowitz found that people who in general

Leaders of Utah Veterans Groups Condemn Land Law

Yamamoto Elected To Post in Brigham Amvets

BRIGHAM CITY, Utah — Charles Yamamoto was elected senior vice-commander of Brigham City Post No. 7 of American Veterans of World War II (Amvets) at the annual election meeting last week.

The Brigham City post, which includes many veterans of Japanese ancestry in its membership, was responsible for a strong declaration against race discrimination which was passed at the Utah state convention of Amvets earlier this year.

Sam Kuwata is the retiring senior vice-commander of the post.

Nisei Appeals Board Decision In License Case

Discriminatory Policy Charged to State Equalization Board

LOS ANGELES—Charging race discrimination by the California State Board of Equalization in "arbitrarily denying applications of Japanese Americans for liquor sale licenses," Masako Kinoshita, proprietor of a Los Angeles restaurant, has filed suit in the California District Court of Appeals through her attorneys, A. L. Wirin and John Maeno.

Mrs. Kinoshita, a United States citizen, originally had applied to the State Board of Equalization for an on-sale wine and beer license. The board denied her application. After a hearing before Franklin J. Cole of the board, the latter recommended that Mrs. Kinoshita be granted the license on the basis of her claim that she was the sole owner of the restaurant. The board again denied her the license on the basis that Mrs. Kinoshita's husband was a Japanese national.

Mrs. Kinoshita's case was taken to Superior Judge Henry Willis and a peremptory writ of mandate was sought, asking that the license be granted her on the grounds that she was being arbitrarily discriminated against because of her race. Judge Willis, in dismissing the petition for the writ, ruled that he would not disturb the findings of the board.

In the brief filed last week Wirin and Maeno declare that there is conclusive evidence to prove Mrs. Kinoshita's claim that she is the sole owner of the restaurant since the property was purchased from the proceeds of the sale of other properties and from savings and funds which she had acquired prior to her marriage to her Japanese alien husband in 1940.

War Agency Liquidation Unit Handling Claims For Loss of Goods

NEW YORK — Claims which were filed with the Department of Interior for losses sustained on property stored with the War Relocation Authority are now being handled by the War Agency Liquidation Unit, according to its director, Boyd N. Larsen.

In a letter to Peter S. Aoki of the Greater New York Committee for Japanese Americans, Larsen said that once the large backlog of such claims is cleared, payments must await a congressional appropriation.

Payments cannot be made until Congress meets again.

didn't like "foreigners" didn't like these Danierians, Wallonians and Pinreans, either.

State Commanders of Legion, VFW, Amvets Pledge Efforts To Repeal Anti-Alien Measure

Leaders of Utah's veterans groups this week condemned the Alien Land law, passed by the legislature in 1943 to prohibit agricultural property ownership by aliens of Japanese ancestry, and called for its repeal at the 1947 legislative session.

A resolution condemning the Utah Alien Land law was passed unanimously on Dec. 19 at a meeting of the state commanders of the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Spanish American War Veterans and American Veterans of World War II in Salt Lake City.

In the resolution, presented by Glen Thompson, commander of Salt Lake City's Atomic post of the VFW, the state commanders declared that they would work for the repeal of the discriminatory legislation. Thompson also is a state vice-commander of the VFW.

The Atomic post, whose membership is composed of overseas veterans of World War II, recently unanimously passed a resolution calling for the repeal of the Alien Land law.

It is reported that a draft of a bill to repeal the Alien Land law of Utah is being prepared. The Utah law is patterned on the California law, with the exception that it provides that aliens "ineligible to citizenship" may lease land on a year to year basis. The law was amended at the time of its passage in 1943, when it was pointed out that the original proposal, if strictly enforced, would prohibit even the occupancy of farm property by Japanese aliens. At the time the bill was being considered hundreds of alien Japanese volunteer workers from war relocation centers were at work on Utah farms in an effort to save the sugar beet crop, which was threatened because of a shortage of farm workers.

HAYASHI ELECTED NEW PRESIDENT OF N.Y. CHAPTER

NEW YORK — Tom Hayashi was elected president of the New York JACL for the coming year at the election meeting on Dec. 18. Mr. Hayashi is a junior member of the New York law firm of Whitman, Ransom, Coulson and Goetz.

With 100 members and friends in attendance, the following members of the 1947 cabinet were elected: Ina Sugihara, vice-pres.; Mary Inouye, rec. sec.; Chiz Hayashi, corres. sec.; Mitty Kimura, treas.; Harry Kuwada, treas.; Mitsuo Takami, membership director; Toshio Sasaki, financial director; Toshi Miyazaki, program director, and Chiz Ikeda, publicity director.

Placer County Investigates Nisei Property

Campaign Initiated To Uncover Violations Of Alien Land Law

AUBURN, Calif.—Placer county authorities now are conducting investigations into the property holdings of American citizens of Japanese ancestry in an effort to uncover violations of the California Alien Land law.

The two latest escheat proceedings against Japanese Americans under the law, which prohibits land ownership by aliens of Japanese ancestry, have been filed against the farm properties of Minoru Takamine and H. Ota. Another case, involving the property of Aster Kondo, has been set for trial.

In these cases the State of California will charge that alien Japanese exercise control over properties deeded to Nisei.

Two Persons Found Wounded in Murder, Suicide Attempt

POCATELLO, Idaho — Shigeo Sagurada, 26, and Elaine Edmo, 23, were taken to the General hospital on Dec. 14 following what Pocatello police described as an attempted murder and attempted suicide.

Summoned by reports of a fight, officers reported they broke into a house at 930 South Hayes and found Sagurada assaulting the woman with a meat fork. When police entered the room, Sagurada allegedly drank poison.

A note written by Sagurada was found by police and indicated that Sagurada had planned to commit suicide.

Police reported they believed both would recover.

Utah Girl, Stranded in Japan By War, Returns to Family

OGDEN, Utah — Masaye Kawaguchi, 18, was back home in Roy, Utah, this week having set foot on American soil for the first time in many years.

Masaye, when 13 years of age, was in Japan visiting her grandmother, Mrs. Tori Kawaguchi, at Shimizu in Shizuoka and was scheduled to return to the United States in Sept., 1941.

"I had planned to return in September, but the Japanese halted passenger traffic," she said, following her reunion with her father, C. I. Kawaguchi.

She declared that Shimizu was under sea and air bombardment for five months before the war ended.

"A year ago, by chance, I ran into George Kato of Riverdale, who was with the American occupation army in Japan and he aided me in getting word to my folks that I was alive," Miss Kawaguchi said.

"In all of the war years I figured I'd never see my mother, father or brother again. The entire experience seems like a bad dream," she added. "I can't begin to explain how happy and thrilled I am to be home. I went through more than four years of strain, never knowing whether I would be killed or what my fate would be."

"Conditions in Japan were terrible. Starvation hit many of the people. Destruction was terrific in many places."

She said that the big surprise to the Japanese after V-J day was the fine treatment accorded Japanese girls by American soldiers, sailors and marines.

Masaye said her grandmother, now 74 years of age, was alive and well. She has a brother, Hebo, 15, who is a student at Central high school in Ogden.

"It's wonderful to be an American," she said.

Back Home in Los Angeles: Patterns of Pre-War Community Life Revived by Evacuees Who Have Returned to West Coast

By MARY OYAMA

Los Angeles.

SO WE'VE been home more than a year and a half since our return to the Coast—and it's also about time to check up on our experiences and reactions of the last ten months. It is rather astonishing how quickly one can return to the normal pattern of living, once a semblance of it is established.

During the first year after our return to our original home everything seemed new, novel, and exciting, the experience was sharply focused and each image sharply etched. We all felt as if we were moving into our House on the Hill for the first time and even the surrounding hills seemed like a strange foreign country. Now all that novelty has worn off considerably and we feel as if we had slipped back into the years and months preceding the fateful December 7th of 1941.

Evacuation, internment, relocation, resettlement, already have the hazy quality of a dream. Last year we felt the urge to pinch ourselves whenever we found ourselves in a group or large crowd of Nisei: "Can it be possible? This is just like pre-war days—even some of the same old faces!" But now we are more calm about things and accept such meetings in a granted sort of way.

Rather naively, many of us thought that Little Tokyo had disappeared forever and that there would be no more Nisei clubs and organizations, and no more "Japanese town." Yet within the last six or eight months Nisei clubs galore have sprung up like mushrooms. A friend who is making a sociological survey of Nisei organizations informs us that he has already put 84 clubs on his list and undoubtedly there will be more by the time the survey is completed.

A few of the organizations are reactivations of those groups which were in existence before evacuation, but the rest are all new groups being built up out of entirely new memberships. Some what the same situation exists in the churches and church organizations. While there may be a few of the "old standbys" composing the nucleus, the vast majority of any membership is new, and as one Nisei aptly described, "people from all over, from different camps, different schools, different parts of town—new faces from other towns, too."

Even one's own personal circle of friends is largely comprised of entirely new friends. Many, of course, are evacuation friendships, people whom we had the good fortune to meet in assembly centers or relocation centers (and whom we might not have met otherwise). The general impression we get is as if we Nisei were cards in a deck that had been well shuffled, then arbitrarily dealt out hither, thither and yon. The cards in each hand form a new group according to congeniality, neighborhood location, church or interests.

In our own experience we find that our pre-evacuation circle of Caucasian and non-Nisei friends remain the same as far as the intimate friends go, but even the casual Caucasian acquaintances have all moved away or been scattered to different parts of the country by the war. Our Nisei friends are almost all new friends whom we have met or made since our return.

Besides our Caucasian friends we also have made some other new friends whom we did not have before evacuation—our Negro friends who have opened up a whole new world to us. Looking backwards to the days before the war we recall when we had a detached academic interest in the Negro people and their problems as identified with the "minority group problem." Then came the evacuation and our sudden friendship with Jean and Chester Himes.

After we met this Negro writer and his wife we found ourselves taking an intense personal interest in the welfare of all Negro Americans and their ever-present "race problem" (so called, but actually a human welfare problem). This personal contact broadened our understanding of the basic problem faced by all minorities. We find ourselves in the same position as that of the Caucasian American who suddenly discovers the Nisei and likes them. "The more I know you, the better I like you"—etc.

We are overwhelmed with the sudden realization of what an appalling evil segregation is:

the deliberately connived conspiracy of men to keep human beings from knowing each other. How can such things be? To what evil end and purpose? One does some careful soul-searching and further self-scrutiny—"Where have I been all these years?"

More than ever we realize that segregation, whether self-imposed as in the case of many Nisei, or imposed by the majority group, Jim Crow always results in the same dead-end prejudice. In the former we discourage the majority group from knowing us by setting up our own barriers, in the latter the majority group tries to set up impenetrable walls which the minority group dare not even touch.

After this burning bush revelation we cannot help but feel as uneasy as an unhappy and futile Cassandra when we find ourselves at the usual Nisei dance, where a mob of Nisei are unconcernedly milling around just as in pre-war days. Surely there must be some way whereby two birds could be killed with one stone, where a dance could serve to further the process of assimilation as well as give Nisei youth his recreation. All this energy should be at least partly expended for some worthy cause for otherwise we are lapsing in the same old ruts.

The question is not: "Do we Nisei want to mix out of our own racial restricted group?" but rather as the Reverend Arnold Nakajima puts it, "Is it to our advantage to do so?" Definitely, the answer is "yes," but whether the Nisei actually believes this or not, THAT is the question. Sometimes the Nisei leaders wonder.

Even those Nisei who successfully resettled in the East and Midwest and who became integrated into the social life of their communities, return to fall back into the same pattern. Unless a special effort is made to widen social contacts out of the Nisei and Japanese community, one can go on for weeks, or even months, without any "outside" or Caucasian American contacts. The more social conscious veterans confess that they find themselves falling into a rut as soon as they return to the Japanese community, where they miss the wider contacts which they enjoyed while in service.

In this respect Los Angeles is no different from Denver, or San Francisco or any other city which has a large settlement of Japanese and Nisei. The more successful one's return home and adjustment, the more "normal" the reorganization of the Little Tokyos, the more identical becomes a present set-up with the pre-evacuation Nisei world. This is something to ponder over.

There are those who would justify this condition by arguing that the Nisei is content, and likes things the way they are, that he is enjoying some well-earned security after the buffeting of the last three or four years, and that many Nisei, by early environment and training, are not yet well equipped to make themselves feel at home in the larger American community. They say, let the status quo be—for the time being.

We grant that such reasoning sounds quite logical; but our contention is that when the status quo becomes static, degeneration and retrogression are already setting in. Progress never stands still, but always moves forward. If the Nisei are not currently prepared to move forward, let our churches and social agencies go immediately about the task of helping the Nisei to prepare for forward-moving progress. Now is the time for both Nisei leaders and Nisei organizations to pioneer in this work.

Many of us, both civilians and

Progress Report:

Nisei Problems Go To Court

A Resume of Important Test Cases

By Saburo Kido

World War II uprooted the economic foundations of the persons of Japanese ancestry on the west coast. Most of them, if they have the energy and the capital, will start all over again. Those who no longer have the stamina of youth will be dependent upon public charity, since their friends and relatives are no longer in a position to aid them, as they did in earlier times of stress. During the depression there were practically no persons of Japanese ancestry on relief rolls, despite the economic pressure of those days in the 1930's.

Upon returning to their homes on the west coast, the evacuees find that many obstacles must be cleared away. Since legislative actions are almost an impossibility, the evacuees must resort to the courts. Oyama Escheat Case

Most important of the test cases is the Oyama case, which challenges once again the constitutionality of the California Alien Land Law. In July, 1923, the United States Supreme Court ruled in the case of Terrance vrs. Thompson that the alien land act was unconstitutional, a proper exercise of police power in the state, and that the designation of "alien ineligible to citizenship" was not discriminatory.

The facts in the Oyama case are as follows: an alien Japanese father (ineligible to citizenship) purchased a tract of land for his citizen son, Fred Oyama, a minor. Letters of guardianship were obtained from the court, and on two occasions when money was borrowed, the order of court was obtained. However, the father had not kept a separate bank account nor filed an accounting or reports pertaining to the management of the property.

The trial court held that the presumption of the alien land act is that if an alien ineligible to citizenship pays the consideration and takes title in another's name, there is a violation. The judgment was given to the state in the escheat proceedings.

Because 60 cases depend upon the outcome of the Oyama case, the California Supreme Court agreed to accept the case without its going first to the District Court of Appeals. Three major points were urged by the Oyama attorneys: 1) that the act was unconstitutional; 2) that the statute of limitations applied; and 3) that the parents had the right to make a gift of real property and once title was vested in the citizen, his ownership was absolute.

The Supreme Court made an exhaustive review of the constitutionality of the act and again held it valid. The justices further declared that the statute of limitations did not apply. Furthermore the court held that the facts justified the lower court in finding that the parents violated the Alien Land Law and therefore the judgment to escheat was valid.

Aside from the first two points raised, the third is of major importance to all citizens of Japanese ancestry. After the Yano guardian-

soldiers, have a tendency to relax and to feel that since the war is over, we can ease up on our efforts toward achieving that "brave new world." Hence we see the Nisei veterans' apathy toward AVC, the resettled Nisei's "rugged individualism" ("I don't have anything to do with the Japanese community"), and the returnee's cozy return to their Little Tokyos. For the Nisei vets, it is a pity that they cannot be allowed to relax in peace for the rest of their lifetime after all the hardships they endured in combat; but the present critical condition of the world with the atom bomb hovering menacingly above like the Sword of Damocles, will allow no reprieve.

In other words, we still fight the battle, though not with guns. Both veterans and civilians are challenged by the resurgence of the Ku Klux Klan, the emergence of the Columbians, the unabated tide of anti-Semitism and countless other dragons. Social awareness, education, legislation, united organization, and a sense of universal responsibility, must be our weapons. Our business is to come out of our Little Tokyo shells, get citizenship for our Issei parents, unite with other minorities, link hands with the majority group to improve human conditions everywhere.

There is enough work to keep the Nisei busy for a long time to come.

ship case of 1924 and the Fujita escheat case of 1932, it was accepted as the law of the state of California that parents ineligible to citizenship can make a gift of money to purchase real property for their citizen children, even of tender years; that if a gift is beneficial to the minor, the law presumed his acceptance; and the recordation of the deed in the child's name was considered sufficient delivery. Furthermore, the presumption of trust in the case where there was the relationship of parent and child as in the Yano case. And a long line of California cases was cited to uphold this position.

Since no qualification was made by the Supreme Court in deciding the Oyama case regarding the purchase of the property, the impression is created that the Yano and Fujita cases have been reversed. Although this may not be the intent, the matter is left in suspense. The question which needs to be qualified is: "When does a valid title pass when a gift is made by the parent to a child?"

Other questions arise, such as "Can the original intent be reversed through the subsequent acts of the donor (parent)?" and "Can the minor's interest be jeopardized and the innocent beneficiary penalized even after letters of guardianship have been issued by the court upon the failure of the guardian to perform his duties?"

The Oyama case will be appealed to the United States Supreme Court. If the highest tribunal of the land consents to hear the case, the opportunity to present all the aspects of the case will be afforded. Stockton Theater Case

Abrogation of trade treaties between Japan and the United States on January 28, 1940, created a situation wherein alien Japanese may not have the right to lease property for commercial or even residential purposes.

A test case began in Stockton, California, when a landlord started proceedings to cancel a lease on a theater. The option to renew was exercised and the renewal made after the negotiation of the treaty. The landlord contended that because of the non-existence of a treaty, an alien Japanese no longer has the right to lease commercial property and therefore the contract was void. The trial held that there was no lease. Upon appeal the District Court of Appeals held that the interpretation of the term, "treaty not existing," meant that the Treaty of 1911 was incorporated as a part of the California Alien Land Law and that the subsequent abrogation made no difference.

The California Supreme Court has agreed to review the case. Until a final decision is rendered, this question remains in abeyance. Until the matter is settled, the reestablishment of businesses by alien Japanese evacuees remains a difficult problem.

Fishing Rights

The deep sea fishing industry of California was pioneered by alien Japanese residents. As soon as the income from fishing became an important item, agitation was commenced to bar alien Japanese from receiving commercial fishing licenses. Various attempts were made in the state legislative sessions but they were invariably defeated. Thus, the so-called fishing bills began to be known as "cinch bills," introduced to harass the Japanese. In 1945, however, while the evacuees were still away from their homes, the legislature passed an amendment to the Fish and Game Code, prohibiting "aliens ineligible to citizenship" from obtaining commercial fishing licenses.

A few hundred Issei who depended upon fishing for their livelihood were prevented from engaging in this industry. Thus their only re-

course was to appeal to the courts.

Judge Henry M. Willis of the Los Angeles Superior Court held in a sweeping decision that the amendment was a "thin veil to conceal a purpose" to discriminate against Japanese, and that it violated the guarantees of the Fourteenth Amendment of the United States Constitution by denying to alien Japanese the equal protection of the laws.

The case is now pending before the California Supreme Court. Civil Service Employees

The State Personnel Board of California indulged in a race baiting orgy of its own at the outbreak of war. Nisei civil service employees were given the choice of giving up their positions voluntarily or have disloyalty charges lodged against them. About 300 took the easy course but close to 90 asked that specific charges be brought against them before their dismissal.

The Nisei through their attorney, filed for back wages between the period of their suspension to the time of evacuation and have also asked for dismissal of the charges which were pending.

Indictments drawn up against the Nisei employees charged that they were disloyal because they attended Japanese language schools, because they were members of "secret societies" which later were declared to be girls clubs, because their parents subscribed to Japanese language newspapers, because they had dual citizenship and they contributed to the inefficiency of other employees by reason of the fact that they were of Japanese ancestry and thus were the cause of unrest and suspicion.

Upon hearings in Sacramento and Los Angeles, the charges were withdrawn. The clearances given by the War Relocation Authority and the Army made it apparent that the charges could not stand.

Although jobs have been promised those cleared, most of them have better paying positions and therefore have resigned. They fought for vindication and succeeded in forcing the State Personnel Board to retract the charges.

School Segregation

Japanese Americans in California through the JACL are participating in a test case pertaining to school segregation in California. They have joined with several other groups in filing an "amicus curiae" brief.

The case which is now before the Ninth Circuit Court of Appeals involves the segregation of Mexican Americans. The California school code states that "the governing board of any school district may establish separate schools for Indian children, excepting children of Indians who are wards of the United States Government and children of all other Indians who are descendants of the original American Indians of the United States, and for children of Chinese, Japanese or Mongolian parentage."

The Federal District Court ruled that the segregation of children of Mexican or Latin descent violated the Fourteenth Amendment of the United States Constitution.

Prior to the war, the segregated school in Florin, California was abolished through the efforts of the JACL chapter there. There was a segregated school in the Courtland-Walnut Grove district also.

There is a segregated Chinese school in San Francisco. The segregated school question was an international issue around 1906 when the Japanese government protested the practice in San Francisco. Restrictive Covenants

Several Negroes through the legal department of the National Association for the Advancement of Colored People have brought test cases in California to test the constitutionality of the restrictive covenants. The matter is pending before the State Supreme Court. Most likely, those of Oriental ancestry will be joining the appeal when and if the matter should go before the United States Supreme Court.

The viciousness of the restrictive covenants is becoming more and more apparent. In South Pasadena, more than 80 per cent of the property within the city limits is covered

(Continued on page 5)

Autograph Hunters at Dance



CHICAGO—Joe E. Brown, film and stage star, autographs dance programs at the Chicago JACL's Inaugural ball at Hotel Shoreland. Mrs. Lincoln Shimizu is at left while Amy Matsumoto and Mary Suzuki are at right.

—Photo by Vincent Tajiri

Joe E. Brown, of the Big Mouth And the Big Heart, Recalls Heroism of Nisei Soldiers

By VINCE TAJIRI

CHICAGO — The man whose chief claim is a keen sense of humor and the fact that the lower portion of his face is practically all mouth, wasn't playing it for laughs.

The occasion was the JACL's inaugural ball, a semi-formal affair at the Hotel Shoreland, and as he was the star of the entertainment program, the 400 guests were waiting for the gag-line and perhaps and ear-blasting shout from that cavernous mouth.

It did not come.

Instead, Joe E. Brown, American, stilled the audience into a reverent silence as he spoke of the peace that had come to the world and of the tragedy of racial hatreds.

He also told of his visits into the front lines entertaining the troops, and pointed out the courage of the Japanese American youths who had fought with the 100th Battalion, the 442nd Combat Team and with the Military Intelligence units.

For ten minutes this man, who is known the world over for his performance in the entertainment field, talked, not as the star of a play and numerous movies, but as a sincere American who has seen the loyalty of the Japanese Americans on the battlefield and knew of their problems here.

Then, Joe E. Brown stepped into a more familiar role, that of a comedian. He stopped, blinked his eyes as a flashlight went off in his face, and remarked to the photographer, "That was a good one, but the angle was wrong. You should have taken this view," indicating the back of his head. The audience roared and Joe E. Brown was again the big-mouthed, laughable cut-up of "Elmer the Great," "Alibi Ike" and at present "Harvey."

Then, with a "good night" he was gone, the music began and the dancers returned to the floor.

We talked to Joe E. Brown afterwards and found him as advertised. This man who has known personal tragedies (he lost one son in the war) is still endowed with the ability to laugh and to make others laugh. Mild and unassuming he has a great love for life and people.

Knowing of his weakness for sports and being acquainted with the fact that whenever possible he can be found on football Saturdays on the UCLA player's bench we asked him for a prediction on the Rose Bowl game. As expected, he picked the Bruins, but hesitated to name the score. He added, "the papers have made Illinois a one-point favorite, but they've got a great bunch of guys down there (UCLA) and they'll be plenty hard to beat."

Speaking of Ernie Case, the Uclans' great quarterback, Brown quoted authorities Bob Waterfield and Mike Frankovich, both former Bruin stars, in saying "Case is the best 'T' quarter in the country; better than Johnny Lujack or Arnie Tucker, or even Waterfield himself." And for your informa-

tion, Waterfield was named as the "pro player of the year" in 1945 by the National Professional Football league.

In regards to questions about the Nisei and the war, Brown recalled that one of the most touching and inspiring letters he had ever read was from the mother of a former Nisei cheer-leader at UCLA who had been killed in action with the 442nd in Italy. The letter had been written to Dr. Sproul, dean of the college.

Case Against Dr. Kim Will Test Covenants

Neighbors Seek Court Order to Oust War Veteran From Home

LOS ANGELES—The validity of a neighborhood property owners' covenant restricting residential privileges to Caucasians will be tested in Superior court in a suit against Dr. Yin Kim, Korean American dentist and war veteran.

Dr. Kim recently conferred with officials of the JACL and the ACLU in regard to the action brought against him by Hugo and Winifred Boucek and John C. and Esther Merrill as representatives of property owners who signed an agreement permitting non-Caucasians to enter premises only as servants.

Dr. Kim's attorney, Fred Okrand, said the dentist was served with a copy of a temporary injunction a day after he occupied a house at 1201 South Gramercy Place. Since he did not move away, a contempt order was filed, on which a hearing has been set for Feb. 6 in Superior Court.

Meanwhile, Okrand also filed a demurrer to the injunction petition. Judge Henry M. Willis overruled the demurrer on the ground that the California Supreme Court has many times upheld the validity of restrictive covenants. However, he delayed issuance of the injunction pending trial of the merits of the case. This will follow the hearing on the contempt order.

Some 20 cases involving restrictive covenants against persons of Japanese, Chinese and Negro ancestry now are pending before the California Supreme Court.

Babe Nomura Named To All-Conference Football Team

SAN JOSE, Calif.—Babe Nomura, Nisei backfield star of the San Jose State eleven, is one of five Spartan players to be named on the all-conference team of the California College Athletic association.

The all-star team was picked by conference coaches.

San Jose State won the CCAA championship and will meet Utah State in the Raisin Bowl at Fresno on New Year's day.

Writer Charges Evacuees Victims of "Great Swindle"

DISTRICT COUNCIL VOTES APPROVAL OF DEFENSE FUND

LOS ANGELES — Formation of the Legal Defense fund of the Japanese American Citizens League was given the approval of the Pacific Southwest District Council as it met in Los Angeles Sunday, Dec. 22, under the chairmanship of Karl Taku of San Luis Obispo.

Mike Masaoka, executive secretary of the Anti-Discrimination Committee; Hito Okada, national JACL president, and Frank Isami Long Beach were authorized to arrange for the retention of Saburo Kido and A. L. Wirin as legal counsel for the defense fund.

The new branch of the JACL will be concerned with test cases on the rights of Japanese Americans and other minority groups and will also work in southern California in matters of escheat and other property cases.

Delegates from Los Angeles, Arizona, San Diego, Santa Barbara, Venice, San Luis Obispo, Long Beach and Orange City attended the meeting, which was held at the Kum Far Low.

The delegates voted unanimously that the Pacific Southwest District Council would assume \$50,000 of the budget for the JACL and the ADC in the year 1947. The council delegates voted that the \$50,000 would be the minimum raised by the group.

A nominations committee under Frank Mizusawa of Orange county was named to select candidates for the district council and present them for action at the next meeting, which will be held on Feb. 8.

Other members of the nominating committee are Frank Chuman of Los Angeles; Dr. George Hara of San Diego, Ben Yabuo of Arizona and Ken Dyo of Santa Barbara.

Nisei Linguists Sought for Japan Occupation Work

LOS ANGELES—Nisei with ability to speak Japanese and with knowledge of judicial, technical and medical terms who are willing to take a United States civil service job in Japan with the occupation forces are being sought by the California State Employment Service, 1100 South Flower Street, according to information conveyed to Scotty Tsuchiya of the JACL regional office.

Anger Over Evacuation Led To Writing Novel About WRA Camp, Declares Karen Kehoe

By EVERTTTT JAMES STARR
NEW YORK CITY—Karen Kehoe, author of "City in the Sun," a novel of the evacuation, told an audience of JACL members December 18 that she was "angered into writing" her book.

The author was the guest speaker at an election meeting held at the Japanese Methodist church, 323 West 10th street.

Winner of the Dodd Mead and Company Intercollegiate Literary Fellowship, Miss Kehoe reviewed her reasons for writing "City in the Sun," her first novel. Stating that her book was a direct result of her experiences as a WRA worker at the Gila (Arizona) relocation center, she said that she was angered into writing her book.

She was hurt by both the careless treatment of the evacuees and also by the "principles" for which the creation of the WRA was deemed necessary, she said. Before accepting her stenographic position at Gila, Miss Kehoe said, she had little conception of such a program.

She had seen the minorities meeting their race difficulties in Detroit, Los Angeles and Chicago, but she worked mostly with the Jewish and Negro problem. At Gila she received her first real knowledge of the Issei and Nisei and their misfortunes and misery, physical and mental. She came to

Japanese Americans Lost Farms, Businesses, Homes During Crisis, Declares Smith

NEW YORK—"One of the greatest swindles in America's boisterous history has been going on under our noses," asserts Bradford Smith, former OWI chief of the Central Division, in the Winter issue of Common Ground magazine.

This swindle, scarcely known as yet to the public, was the result of the mass evacuation in the spring of 1942 of all Americans and aliens of Japanese ancestry from the West Coast, he declared. So rapid was this evacuation that often they had only a matter of

days to dispose of their worldly goods to make ready for a removal which they thought would be only for a few weeks but which lasted for four years, Smith points out. Secondhand furniture dealers and plain opportunists, as well as community "big shots" were quick to take advantage of the situation and to relieve their Japanese American friends of goods and property at a fraction of their value.

The author, who made trips through California in 1943 and 1946 to gather firsthand information about what actually was happening to the property of the

evacuees, writes that the War Relocation Authority tried to protect their property. "But what it could do was pitifully little. A man who knows hundreds of these cases says that less than five per cent of the 100,000 evacuees came off "all right." He considers that he himself came off all right; he lost his business—a prospering store, and some furniture."

Not only did American citizens lose their farms, businesses and homes—but young men of Nisei background who served in the United States Army are returning to the West Coast to find race discrimination so powerful it already has resulted in seizing as forfeit to the state a number of farms operated by American veterans because they were purchased in their names by alien parents long ago. The Alien Land Law of California prevents anyone ineligible for citizenship (Orientals) to own property, Smith noted.

One farmer returning to his place near Venice, California, before planting inquired at the market whether or not his celery would be accepted, was assured it would be, and used his last bit of money for planting his crop. After harvesting the celery, he again returned to the market but was refused a sale. This farmer was lucky, however, because WRA intervened and sold his crop for him.

Smith believes that much of the swindle was the result of the common opinion that the Japanese would never return to the West Coast and, therefore, no one would ever check up on the disposition of their property. Typical of this attitude was the employee of a large Los Angeles produce business who agreed to "befriend" the owner. He requested and received a letter from the owner stating that the Nisei no longer was owner, in order, as the employee said, "to convince customers it was all right to deal with him in wartime." As produce prices boomed, the employee collected all profits from the business—plus the \$100 per month guarantee for salary—and is now the proprietor. The rightful owner is robbed of a business he spent many years building.

One Nisei left his car, some farm implements, and a radio with a Caucasian neighbor. When he realized the evacuation was to be more than a few weeks duration, he sent for his radio and gave orders to sell his automobile. Although the car had a book value of \$500, the friend sold the car—minus the tires which he kept for himself—for \$475 and asked the Nisei to "loan him the money for furniture." Upon refusal of the loan, the neighbor charged the evacuee \$25 for selling the car, \$30 travel allegedly involved, \$20 for his time, and other items of expense. His radio could be redeemed for \$39—"storage charges."

An American Legion commander similarly "befriended" many Nisei during the evacuation by obtaining power of attorney, selling their property, and pocketing the money. The men were thus robbed have refused to file suits as they feel it is useless for persons of Japanese descent to expect justice in the state of California.

Bradford Smith is convinced that if the American people are fully informed of the reasons for and results of the Nisei wartime evacuation, much of the damage done can be repaired. He suggests: 1) Enactment of a law to give Japanese aliens an opportunity to acquire a law to give reparations for actual losses of real or personal property; and 3) Strengthening citizens' committees in California and elsewhere to combat racism and give force to the powers of decency and fair play.

Canadian Officials Warn Against Mass Return to Coast

TORONTO, Ont.—Large-scale return of Canadians of Japanese ancestry to the Pacific coast when the present exclusion orders are lifted would not be advisable, according to Vancouver authorities, Sgt. Major Buck Suzuki told a Japanese Canadian Committee for Democracy mass meeting on Dec. 8.

Suzuki, who recently visited the West Coast at the request of the JCCD, said he was quoting officials of the Department of Labor, the office of Enemy Alien Property Custodian and the Mounted Police, who expressed the fear that a large-scale return of the evacuees might result in a new flare-up of anti-Japanese sentiment.

Florin Fellowship Group Organized

FLORIN, Calif.—The Florin Youth Fellowship has been organized under the direction of the Rev. Masaji Goto with Josephine Seno as president.

Other officers include Jean Dakuzaku, Ben Miyaoka, Mary Seno, Sally Mizoguchi, Akira Mizoguchi, Florence Wakita, Bill Yoshizuka and Bill Taketa. Mr. and Mrs. Harry Sakakihara are the advisers.

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LARRY TAJIRI EDITOR

EDITORIALS:

"Greatest Swindle"

"One of the greatest swindles in America's boisterous history has been going on under our noses," Bradford Smith declares in an article in the Winter 1947 issue of *Common Ground*. His reference is to the forced disposal as a result of the evacuation order of property owned or controlled by residents of Japanese ancestry on the West Coast in 1942.

The story of the forced liquidation of assets and the loss or deterioration of property owned by the evacuees as a result of the forced evacuation is not a pretty one. Secretary of Interior Krug hinted at it in his letter to Speaker of the House Rayburn on April 24, 1946 in which he urged the passage of the administration-sponsored bill to create an Evacuation Claims Commission. "The evacuation orders gave the persons affected desperately little time in which to settle their affairs," Secretary Krug noted. "The government safeguards that were designed to prevent undue loss in these circumstances were somewhat tardily instituted, were not at once effectively publicized among the evacuees, and were never entirely successful.

"Merchants had to dispose of their stocks and businesses at sacrifice prices. In a setting of confusion and hysteria, many evacuees sold personal possessions for a small fraction of their value. A large number had to accept totally inadequate arrangements for protection and management of property. Valuable lease-hold interests had to be abandoned."

"Continued exclusion increased the losses," Secretary Krug's letter continued. "Private buildings in which evacuees stored their property were broken into and vandalized. Mysterious fire destroyed vacant buildings. Property left with 'friends' unaccountably disappeared; goods stored with the government sometimes were damaged and lost. Persons entrusted with the management of evacuee property mulcted the owners in diverse ways. Tenants failed to pay rent, converted property to their own use and committed waste. Prohibited from returning to the evacuated areas even temporarily to handle property matters, the evacuees were unable to protect themselves adequately . . ."

Bradford Smith, chief of the Central Pacific division of OWI during the war, is now writing a book on Japanese Americans for the Peoples of America series. He backed up his story of the "great swindle" in *Common Ground* with case histories of evacuees who have been victimized. He notes that there are three remedies which, if vigorously pressed, "may yet make some recovery for the forces of decent American principles against the seepage of greed masking under the guise of racism."

The three remedies, according to Mr. Smith, are (1) the passage of legislation to give citizenship to Japanese aliens who desire it and can prove a strong interest, (2) enactment of a law to indemnify the evacuees for actual and accountable property losses and (3) the continuation and strengthening of the citizens' committees "which in California and elsewhere have gathered together the forces of decency and fair play to combat the well-financed and well-organized minority of special interests who seek to establish on the West Coast the fascist racism we have been fighting abroad."

"There is more at issue here than protecting the rights of the Japanese American minority," the *Common Ground* article concludes. "There is the question of our integrity as a nation, the question whether we can pluck out the moat that is in our own eye, whether we can put into practice the principles we profess."

The Land Grabbers

Paralleling the "greatest swindle" which Bradford Smith has described is California's "great land grab." The unseemly haste of many California public officials to file escheatment proceedings under the Alien Land law of property owned by American citizens of Japanese ancestry is undoubtedly occasioned by the fear that law may be repudiated in the near future.

At the present time Americans of Japanese ancestry are the only group of American citizens whose right to own property is being questioned. Investigations now are being pressed in several California counties to "uncover violations" of the Alien Land law to institute legal action to confiscate the properties. It is perhaps significant that the areas in which Alien Land law cases are being pressed also were areas in which anti-evacuee movements to prevent the return of the Japanese Americans also were active. The racist and the profiteer have found, in the Alien Land law, a cloak of legality behind which they can mask their hate and their greed.

The Alien Land law no longer represents the will of the majority of California's citizens, as the recent defeat of Proposition 15 has indicated. The Alien Land act also has been condemned as an instrument of discrimination by Attorney General Robert Kenny of California.

The acceleration of efforts to enforce the law may be inspired by the fear of its proponents that the people of California may follow its repudiation of Alien Land law amendments with the repeal of the law itself.

New Scapegoat

Mr. McClatchy has a new scapegoat.

For two generations H. J. McClatchy and his father, the late V. S. McClatchy, have been the fountainhead of racist propaganda against persons of Japanese ancestry in California. The McClatchys conducted their campaigns through the Joint Immigration Committee, once a powerful force in any national discussion of the issue of immigration.

The McClatchys favored restrictive legislation, such as the "ineligible alien" restrictions, which were aimed at persons of Japanese ancestry.

During the recent election H. J. McClatchy used newspaper columns to appeal to the voters of California to support the Alien Land law amendments which would validate legislative additions to the 1920 law. The people of California rejected the proposal.

Last week in San Francisco Mr. McClatchy again was on the losing side. He and C. M. Goethe, wealthy backer of anti-Japanese and anti-Nisei campaigns, were outvoted by members of the influential San Francisco Commonwealth club's section on Immigration and Americanization which reversed previous club policy and voted for the granting of an immigration quota to Japanese. The vote was 18 to 11 and upset the club's traditional stand on the question.

In the debate on the question Mr. McClatchy no longer waved the banner of the Yellow Peril. He had found a new scapegoat.

"Any present ending of restrictions, such as against highly prolific Hindustan, would be a blunder," he said. The italics are ours.

Canadian Policy

Two leading Canadian newspapers recently deplored the decision of the British Empire's Privy Council which upheld the validity of Canada's orders for the forced deportation of persons of Japanese ancestry. Both the Vancouver Province and the Winnipeg Free Press have condemned the government's action taken under authority of wartime orders-in-council and have urged that Canada should enact a bill of rights which would place civil liberties beyond the interference of the government or the parliament.

The Free Press, which has given powerful support to the case for the Japanese Canadians, commented that the government's deportation program, under which approximately 5,000 persons including many Canadian-born children have been deported to Japan, was "morally indefensible."

The Vancouver paper recalled Prime Minister King's statement that there had been no offense against Canada's security by any person of Japanese ancestry during the war and said that, in view of this fact, "if there are any forcible deportations they must be not on the grounds of security but on the grounds of race."

Washington News-Letter

Ben Kuroki Continues His 59th Mission Against Racism

Recently we heard for the first time Ben Kuroki deliver his famed 59th mission talk against racial discrimination. It was at the meeting sponsored jointly by the Washington JACL and the Washington Council of the East and West Association at the Department of the Interior auditorium. And we went away impressed, as did the vast audience of 750.

The boy from Nebraska did a bang-up job, living up to all advance notices as a punch-packing crusader against racial intolerance.

Vagaries

Reprints . . .

"The Boy From Nebraska," Ralph G. Martin's hard-hitting biography of Ben Kuroki, is being published in an Armed Forces edition of 25,000. The New York Post also is running the book in serial form in a condensed version . . . Mine Okubo's "Citizen 13660," published by Columbia University Press, has gone into its second printing. Its first printing of 5000 copies has sold out . . . S. I. Hayakawa's Chicago Sun review of Wendell Johnson's "People in Quandaries" created so much interest that Chicago book stores promptly sold out all the copies they had on hand. Mr. Hayakawa is the author of "Language in Action," a Book-of-the-Month club selection in Dec., 1941, and is the editor of *Etc.*, a magazine on semantics.

Short Story . . .

Collier's has bought a short story about a Nisei war veteran by Jean Jorgenson . . . Ruth Benedict, noted anthropologist and author of "The Races of Mankind," did extensive work for the U. S. army on the Japanese race during the war. Because she could not go to Japan to study the Japanese because of the war, Miss Benedict used persons of Japanese ancestry in the United States in her observations on their culture and racial characteristics. Her observations, which helped the U. S. army to formulate its occupation policy, are published in her new book, "The Chrysanthemum and the Sword."

War Case . . .

Colorado's wartime case involving three Nisei women from the Granada relocation center who were accused of attempting to assist two German PWs in escaping from a southern Colorado farm was recalled this week as U. S. authorities received a letter from one of the German prisoners involved. The former PW, now back in Berlin, wrote that he was sorry that he had involved the girls in the case . . . The Gila River relocation center is the latest to be dismantled by the War Assets Administration.

Bud Fukei, one of several Nisei who took jobs on metropolitan dailies during the war, will start a new Nisei semi-weekly, the Northwest Times, in Seattle. Fukei edited the bilingual Great Northern Daily in Seattle before the evacuation. During the war he worked for the St. Paul Pioneer-Press Dispatch and the Cleveland News.

Stranded Jive . . .

Several Nisei musicians who were stranded in Japan by the outbreak of war while playing American jazz in Tokyo, Osaka and Yokohama dance palaces are thriving on the revived craze in Japan for jazz, which was banned during the war . . . Sueo Serisawa, former California artist who is now in New York City, is represented by a painting in the new exhibition at the Grand Central galleries . . . Sachi Wada's short story, "Hawaiian Christmas," appears in the Dec. 15 issue of the magazine "Young People."

Mrs. R. A. Isenberg, who was active along with other members of the Fair Play committee in obtaining employment for approximately 200 returned evacuees of Japanese ancestry in the Palo Alto and Atherton area, received a threatening note signed by the "KKK" last week because she has taken a leading role in aiding John T. Walker, Negro war veteran whose Redwood City home was burned to the ground by hoodlums on Dec. 6. Mrs. Isenberg was warned she would be "tarred and feathered" if she continued to be active in the Walker case . . .

For 30 solid minutes he held his audience spellbound. The many Nisei who heard him were favorably impressed, declaring that he did a masterful job—which, in the final analysis, is probably the highest compliment the ex-tail gunner can receive, for his severest critics have always been the Nisei.

The speech that Ben delivered was basically the same one he has given many times, which he alters in spots to suit the make-up of his audience. But despite the fact that he has given it on a number of occasions, it has lost none of its sincerity.

And that, perhaps, is the outstanding feature of his talk. We could not help but feel that Ben's heart was in every experience he related, and that he was pleading from the depths of his soul for tolerance and understanding.

Ben was telling his own story, the story of a Nebraska Nisei farm boy who suddenly ran into prejudice he had never known in his home town. It was a story that sounded almost incredible unless you knew the speaker as a man who was brought up to respect the rural creed of simple honesty.

But as he carried his audience with him through his grueling experiences when he was being knocked around by prejudice, he prevented them from getting too wound up by injecting a bit of humor. We thought that Ben's timing was excellent; he has a keen sense of the dramatic.

His fame and success as a speaker are well deserved. He has worked hard, battling and overcoming all the handicaps in public speaking that a shy kid falls heir to in a small country town where deeds count more than words. As a youngster out in Hershey, Ben's greatest fear was having to get up to recite even in a school class that numbered only a handful.

He never made a speech until he returned from his 30 bombing missions in Europe. He was sort of shoved onto a stage. Naturally he did not take to it easily, but he realized that he was doing some good; he realized that there was a deplorable need to clear up misunderstandings some people had about who was fighting the war and for what.

The discrimination that he, a man in uniform with ribbons and medals to show he had been in the scrap, burned him up. If it was going to be that tough for him, he thought, how much tougher would it be for those Nisei who wore no uniforms and had no ribbons or medals.

Ben plunged into his campaign to beat down prejudice with a vengeance, and it was this earnestness which helped in a great measure to overcome his stagefright.

Ben's stature as a speaker therefore is heightened by the consummate way he triumphed over his handicaps. He has traveled a long ways, and it is a glowing tribute to his sincerity and to his determination to make good in a field of endeavor which at one time held such deadly fears for him.

Meanwhile, the American Veterans Committee and other groups are planning an "old-fashioned house-building" to reconstruct the Negro veteran's home.

The American Bowling Congress is expected to review its present discriminatory policy which prevents non-Caucasians from playing in ABC tournaments and leagues when ABC delegates meet in Los Angeles next April . . . The CIO has threatened to withdraw its participation in ABC leagues unless the organization revises its restrictive racial policy . . . Sawtelle Garage of Los Angeles hit 2391 last week in the Red league at the Vogue alleys, the highest series by a Nisei team in competition this year. Before the war several Nisei teams hit the magic 3000 mark, including a Salt Lake team, with Jun Kurokawa, Tada Sako, Sam Matsukawa, Isamu Tanabe and Ike Oki, which scored 3006.

BOOK REVIEW:

"The Spoilage" Is the Story Of Those Who Lost Faith



This drawing was made by Chiura Obata for the jacket of "The Spoilage."

THE SPOILAGE: Japanese American Evacuation and Resettlement. By Dorothy S. Thomas and Richard Nishimoto. With contributions by Rosalie A. Hankey, James M. Sakoda, Morton Grodzins, and Frank Miyamoto. University of California Press, 1946. 388 pages. \$3.75.

By LARRY TAJIRI

"The Spoilage" is the documentary record of the ten per cent of the Japanese American evacuees from the West Coast who, in fear, bitterness and frustration, lost their faith in the United States and renounced their allegiance. It is a remarkable, readable report and many of its passages, particularly those dealing with the personal histories of the evacuees involved, will have an emotional impact for anyone who has any contact with the evacuation.

Early in 1942 a group of social scientists, including a number of Nisei, organized the Evacuation and Resettlement Study at the University of California. In what may be construed as an effort to maintain objectivity, especially of observers who carried on their work in the war relocation centers, the study was blanketed in secrecy comparable to that of the army's atom-bomb project. Now that the war is over, the various restrictions against the evacuees rescinded and the relocation camps lying empty and desolate on forgotten land, the sum of the group's observations on war relocation is being made available to the general public.

"The Spoilage," dealing mainly with the segregation at Tule Lake, is the first of two books which are being published at the University of California. The second volume, "The Salvage," which will discuss the ninety per cent of the evacuees who left the relocation centers for individual resettlement, will appear in 1947.

With access to the records of the War Relocation Authority and the Wartime Civil Control Administration, the Army agency which carried out the actual evacuation, as well as to the files of such private organizations as the JACL, the authors have provided what probably will be considered as the "official" story of the wartime evacuation and detention of 110,000 persons of Japanese ancestry. Yet because the work is the product of a non-government agency (the UC project was financed by the Columbia Foundation of San Francisco and other private grants) the authors pull no punches in their treatment of WCCA and WRA policies.

Like Alexander Leighton's "The Governing of Men" which discussed relocation at the Poston camp, "The Spoilage" is a report on the behavior of human beings under the experiences of forced evacuation and forced detention. The frustrations engendered by the abnormal conditions of internment are not peculiar to the Nisei nor to their Japan-born parents. The literature of Koestler and others on European displaced persons touch on the fear and insecurity which is a product of such displacement. Some of the reactions noted by Russell Brines in "Until They Eat Stones," which tells of the internment of white Americans at Santo Tomas, are the parallel of the behavior of Japanese and Japanese Americans in the relocation centers.

But while the internment of Americans by an enemy army at Santo Tomas was an expected consequence of war, the West Coast evacuation resulted in the internment on grounds of race, without individual hearings or trial, of 75,000 American citizens. These Nisei were not disfranchised, in fact they were permitted to vote by absentee ballot in the elections of their native state and later they were asked to volunteer for the United States army while still confined behind the fences and watchtowers of the relocation camps. There were many among these Nisei in the camps who could not rationalize upon the contradictions of their situation. Out of their predicament grew bitterness and frustration and out of it grew fear—fear of added discrimination and mistreatment in an unfriendly outside world—and a feeling of insecurity which colored their judgments and led them to take actions which they

would not have taken under normal conditions.

There were approximately 5,000 renunciants at the segregation camp of Tule Lake and it is with this group that the authors of "The Spoilage" are mainly concerned. The book, however, contains important material in its treatment of the evacuation itself and the early stages of the development of the relocation centers with particular emphasis on personality and group conflicts which developed from differences in attitude toward the administration of the camps and to the evacuation itself.

The authors point out a fact that generally is overlooked in denunciation of the Army and the government for the mass evacuation. This is that public and political pressure determined the form of the whole program. There was no provision in the original evacuation plans for permanent relocation centers. There was no idea of limiting the free movement of the evacuees outside the West Coast prohibited zone. But voluntary evacuation did not work mainly because of public hostility and the Army and the administration bowed to expediency. The original mistake of mass evacuation was amended by the WRA under Dillon S. Myer who was resolved to return the evacuees to normal communities as soon as feasible.

"The Spoilage" contains detailed reports on the Manzanar, Poston and Tule Lake incidents, all of which were sensationally reported in the California press, and the dispassionate accounts, drawn from government records and the observations of field workers, lend a new perspective to these separate crises in the evacuee communities.

There is extensive material on the registration of 1943 which resulted in the administrative determination of the "loyal" and "disloyal" among the evacuees and led to the definition, among the evacuees themselves, of sympathies and antagonisms and resulted in the establishment of the Tule Lake camp as a segregation center for those persons who, in the opinion of the government, had not satisfactorily answered the loyalty questions in the registration questionnaire. But the published excerpts of interviews with many who chose the road to Tule Lake indicate that the matter of loyalty was not the primary one in their decisions. Fear of insecurity in forced resettlement outside the campus and bitterness against the government for the treatment accorded them were larger factors.

The second half of the book is concerned wholly with the Tule Lake segregation center and discusses various stages in the development of evacuee attitudes at the camp. The pressure and coercion practiced by organized segregation groups within the center to force American citizens to renounce their citizenship are described.

There are chapters on the martial law invoked at Tule Lake following the "riot" in November, 1943, and on the inception of organized campaigns within the camps against evacuees considered to be "informers." This account of Tule Lake shows the development of WRA policy and describes how the administration botched the handling of one "incident," which grew out of the death of a farm worker in an auto accident and how the WRA handled with considerable finesse another "incident" which resulted from the unwarranted shooting of an evacuee by a "trigger-happy" Army guard.

The final chapters are devoted to the mass renunciations of citizenship by citizen evacuees at Tule Lake and close with this comment:

"With mass renunciation of citizenship by Nisei and Kibei, the cycle which began with the evacuation was complete. Their parents had lost their hard-won foothold in the economic structure of America. They, themselves, had been deprived of rights which indoctrination in American schools had led them to believe inviolable. Charged with no offense, but victims of a military misconception, they had suffered confinement behind barbed wire. They had been stigmatized as disloyal often far removed from any criterion of political allegiance. They had been at the mercy of administrative agencies working at cross purposes. They

(Continued on page 7)

Book Review:

Evanston Housewife Writes Book About Nisei Resettlers

By SUE KUNITOMI

Chicago, Ill.

Stacy felt queer when she remembered that her brother, Thorne Kennedy, was fighting the Japanese in Burma. Here the Okamotos were going to be the Kennedys' next door neighbors in Northridge, Illinois. She could see the Nisei girl was pretty and chic, her brother well-groomed. Just the same, they were different and Stacy wasn't sure that she would like them.

Then when business men began talking about having them move out because their coming to Northridge would lower real estate values and the high school gang tensed up, Stacy and her family felt deep sympathy for the newcomers. It just didn't seem decent and American in tradition to judge people by their skin.

The Okamotos went about quietly, painting and scrubbing their new home. Mr. Okamoto, a dentist, practiced in Chicago. Mrs. Okamoto kept house while Charlie and Dorothy attended Northridge high school. There was a service star in their window for Bill, who was a sergeant in Burma. There was so little they wanted—only to be left alone, to live their own life.

One afternoon, Stacy and Liz asked Dorothy to have a coke at the Soda-Bar. They saw the sign, "No Japs Wanted!" that some student had tacked up. The following morning, the newly painted picket fence was broken. When some delinquent set fire to the Soda-Bar, everyone spread ugly rumors and pointed their fingers at Charlie. Soon after Thorne was reported "missing in action" and Stacy was all mixed up. She didn't want to concern herself with the Okamotos. She wanted to concentrate on her music lessons, go to a movie with Eric instead of quarreling with him. Running for election as representative

for the student council, Stacy wanted to win. But her beligerent defense of the Japanese Americans was sure to lose some votes.

It was bad enough, but a few weeks later, a War Dept. telegram notified the Okamoto family that Bill was killed—mistaken for an enemy soldier, he was shot by one of his own men. That settled things for Stacy; she decides to stick to her principles and loses to Gay. The victor turns tables and is converted to Stacy's way of thinking. Out of their conversations come the "Creed for Americans" which is presented to the student body and the community of Northridge for consideration and signature. At this crucial point, Thorne returns and relates that he was rescued from behind enemy lines by a group of intelligence men, led by Sgt. Bill Okamoto. When the creed is presented Thorne, their hero, tells the story of Bill and states that if everyone is willing to sign a pledge to make Democracy work in the school and keep that pledge, then Democracy will work in every corner of America.

"In Tradition," Anne Emery of Evanston, Illinois, writes the thoughtful story of the relocation of a Japanese American family into a conservative, proud American city and the tension, the flare-ups of two armed camps facing each other across an obstacle of prejudice. She writes of the conflicting emotions of a 17-year-old white American girl in contrast to Florence Mean's "Moved-Outers," which describes the tangled thoughts of an 18-year-old Nisei American. Mrs. Emery is sympathetic and understanding in writing of a group of people she came to know through girls who worked for her and adds her support to the efforts of the Japanese Americans who are making their future in the teeming cities of Illinois.

Nisei Problems Go To Court

(Continued from page 2)

with the restrictive covenants. Thus American citizens will be unable to live in certain communities because of their race or ancestry. Such curtailment of a fundamental right to live and move freely within the country clearly should be declared against policy and an infringement of constitutional rights.

Japanese Americans have filed test cases in the lower courts against restrictive covenants. The outcome will be decided by the test cases already before the Supreme Court.

Citizens of Chinese, Korean and Filipino ancestries are confronted with the same type of restrictive covenants. Eventually, all the minority groups will be joining in the appeal to have the restrictive covenants declared illegal.

Renunciants

Those persons of Japanese ancestry who renounced their American citizenship under a special act passed by Congress to permit American citizens to expatriate while living within this country if the petition was approved by the Attorney General are appealing to the court to declare the act unconstitutional. Their contention is that a citizenship conferred under the Constitution cannot be lost. Furthermore they are claiming that they renounced their citizenship under duress.

Two types of cases are being presented, those who had reached majority and those who were either minors or below the draft age.

The government's position that these renunciants became enemy aliens and therefore deportable as undesirable aliens is also being tested. Those who professedly had dual citizenship are the ones involved. Those who had no dual citizenship are in the status of "stateless persons" and cannot be deported for there is no country to which they can be sent.

Evacuation

The decision of the United States Supreme Court in the Korematsu evacuation test case was a sad blow. Every person of Japanese ancestry and their friends had expected that the orders were discriminatory in singling out persons of Japanese ancestry, especially citizens. The American Civil Liberties Union and the JACL have been considering the proposal of bringing up a new test case to try to

obtain a reversal of the Korematsu decision.

In this connection, the lifting of the mass evacuation had practically eliminated the possibilities of a direct test of the orders. But the case of Homer Glen Wilcox versus Lieutenant General J. L. DeWitt for damages may open up a new angle. The crux of the case is that Wilcox was evicted from California by soldiers upon his refusal to leave. Now he is suing General DeWitt for damages. The federal district judge gave judgment to Wilcox for nominal damages since the purpose was merely to establish a precedent as to liability.

The judge stated that although the orders of exclusion may be valid, the general had no right to use the army in the eviction of civilians.

The case is now pending before the United States Ninth Circuit Court of Appeals.

A person of Japanese ancestry may file a similar suit and raise the constitutionality of the evacuation orders once more. This is going to necessitate the raising of funds for such purposes.

In the Ozawa case, which decided the question whether persons of Japanese ancestry were eligible for citizenship, the contention was raised that Japanese were of the Aryan race and therefore fell within the category of "white" and also that the law was discriminatory. The United States Supreme Court ruled that "white" included only those who were known or considered to belong to that category at the time Congress enacted the law and not on a scientific interpretation.

It will be interesting to have this question reconsidered by the present United States Supreme Court justices. The only fear is that they may not agree to review the case.

To have persons of Japanese ancestry go to the courts to have their status clarified is a healthy sign. In order to cover as many problems as possible, the formation of the Civil Rights Defense Union has been a strategic move. A unified and concerted action by all those interested will save expenses and costs.

This is the opportune time to go to the courts. Once the rights and status are settled, the future course can be planned.

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**Okada Insurance Hits**
High Series in League

Okada Insurance of Salt Lake City hit a high series of 2725 to defeat the young Kasai Insurance team, 3 to 1, as the second half of the Salt Lake JACL season opened on Dec. 16 at the Temple alleys.

George Sakashita, with a 539 series, led the second-place Dawn Noodle team to a 2565 to 2297 victory over the Ogden Vets, while Main Jewelry upset the Orem Farmers, 2213 to 2172. Wally's Flowers took four points from ABC Town shop, 2216 to 2109, while OK Cafe and Utah Auto Club had an even split in their match.

Maki Kaizumi's 585 and Jun Kurumada's 574 topped the high-scoring Okada team to games of 968, 931 and 826.

San Jose Ballroom
Issue Settled

SAN JOSE, Calif.—The facilities of the San Jose Women's club ballroom were again made available to persons of Japanese ancestry, when representations from the United Citizens' League resulted in a clarification of the club's policy.

When the JACL group applied for use of the ballroom recently they were informed by the custodian that since no Nisei groups had been recommended for use of the hall, the ballroom would only be rented to Caucasians.

Protests were made through Mrs. Stephen Peabody and Mrs. Claude Settles, who are active in civic and church activities.

The UCL was informed this week that the hall was available for use by Japanese Americans.

Tani, Nakano Head
List of Nominees
For St. Louis Posts

ST. LOUIS—Henry Tani and Sam Nakano head the list of 22 candidates who have been nominated for posts in the 1947 cabinet of the St. Louis JACL.

Nakano is the present head of the St. Louis chapter.

The names of the candidates are: Louis Kurahara, Alfred Morioka and Mrs. Florence Okuyama, vice-pres.; Aiko Kayashima, Mrs. Alice Hayashi and May Sakaizawa, rec. sec.; Suzie Yamashita, Toshi Iwata and Mitsuko Hattori, corres. sec.; George Oshima, Rose Ogino and Jimmie Hayashi, treas.; Jim Kamei and Dan Sakahara, delegates; and Jean Otani, Min Iwasaki and Fred K. Oshima, public relations.

George Teraoka, chairman of the election committee, stressed that the meeting will be open to write-in candidates.

The new officers will be installed at an inaugural dinner in January.

The St. Louis chapter is sponsoring a New Year's eve dance at a downtown hotel.

On Dec. 29 Jimmie Hayashi's blue team, which won the membership contest, will be given a "spaghetti dinner" by Will Kagawa and his red team at Henry Tani's home.

Install New Officers
Of Seattle Chapter

SEATTLE—New officers of the Seattle Progressive Citizens League, a chapter of the JACL, were installed on Dec. 13 at the dance which followed the testimonial banquet for Nisei war veterans.

Masao Satow, acting national executive secretary of the JACL, installed the following members of the new cabinet:

George Minato, pres.; Joe Hirabayashi, first vice-pres.; Toru Sakahara, second vice-pres.; Mitsuye Uyeta, rec. sec.; Alice Kawanishi, corres. sec.; Frank Yanagimachi, treas.; Emery Andrews, Clarence Arai, Frank Hattori, Dave Hirahara, Mac Kaneko, Frank Kinomoto, Akira Kumasaka, Bill Mimbu, Frank Miyamoto, Robert O'Brien, Roy Sakamoto, Dick Set-suda, Harry Takagi, Shigeko Uno and Juro Yoshioka, members of the advisory board.

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Ota Files Suit For Accounting On Inheritance

LOS ANGELES — Setsuzo Ota, former wrestling star, filed suit here on Dec. 16 for an accounting of the remnants of the estate of his late wife, Lucy Banning Ota.

Daughter of a pioneer Southern California real estate magnate, Mrs. Ota died of illness in Italy in 1929 while traveling with her husband.

Ota alleged he was left all but \$40,000 of the estate which once was valued at \$463,897.

Ota claimed the \$40,000 was bequeathed to Mrs. Ota's legal adviser, the late Ward Chapman. Ota declared that Chapman left the \$40,000 in the estate and collected the interest.

Most of the rest of the estate is claimed by Mrs. R. D. Kellard, who alleges that Ota assigned his interest to her in exchange for an unspecified amount of cash.

Arizona JACL Plans New Year's Eve Dance

GLENDAL, Ariz.—The Arizona chapter of the JACL will hold its annual New Year's Eve party at the beautiful "Fiesta Room" of the Hotel Westward Ho, as announced by John Tadano, chairman of the affair. About 150 to 200 persons are expected to attend.

Buffet supper will be served and dancing to the music of the "New Yorker" orchestra. There will be entertainment with noise-makers, hats, horns and also a drawing of many prizes.

The committee in charge of this affair are John Tadano and Masao Tsutsumida, program; Mrs. Ben Hikida, invitations; Carl Sato, Tsutomu Ikeda, Lindy Okabayashi and Ben Yabuno, prizes; the Lobos club, microphone and other miscellaneous work.

This is the first affair in the new plans of reactivation of the Arizona chapter of the JACL. The officials of the Arizona chapter will work along with the National JACL in its fight to obtain citizenship for the Issei and passage of the evacuation claim bill.

Veteran Elected To Leadership of Orange County CL

SANTA ANA, Calif.—The new cabinet of the Orange County JACL is headed by Frank Mizusawa, veteran of the Pacific theater.

The members of the new cabinet include Tom Enomoto, first vice-pres.; Hitoshi Nitta, second vice-pres.; Bill Okuda, exec. sec.; James Sasano, treas.; and Frank Nagamatsu, Louis Dischner, Charles Ishii, Shig Nagamatsu and Fred Mizusawa, members-at-large.

Henry Kanegae is the retiring president of the chapter.

Will Hold Dance

PORTLAND, Ore. — A New Year's eve dance will be sponsored by the Oregon YBA on Dec. 31 from 8 p. m. at the YWCA, Broadway and Taylor streets, in Portland.

Entertain Soldiers

LOS ANGELES—In the first organized program to entertain Nisei GIs from the military intelligence school at Monterey, Calif., who are now on Christmas furloughs in Southern California, three Nisei girls' organizations entertained the soldiers at the International Institute on Dec. 22.

Ten Denver Nisei Hurt in Four-Car Crash on Highway

DENVER, Colo. — Ten Denver Nisei were injured in a four-car accident on Dec. 12 at the junction of Deer Creek road and Bowles avenue, Sheriff Charles Foster of Littleton reported.

The ten Nisei were traveling in four cars, which piled up when the lead auto, driven by Mike Toda, 18 missed the right turn into Bowles avenue off Deer Creek road and skidded 175 feet. The cars of Sam Yahiro, 20; John Ota, 22, and Sumumu Fujinami, 18, which were following Toda, were smashed up in the crash that followed.

Injured passengers were Sam Yoshimura, 16; Chickie Morishige, 18; Min Yoshimura, 18; Henry Ishita, 19; Swiss Nishiyama, 16, and Masa Yoshimura, 18.

Fresno County Judge Orders Confiscation of Farm Owned Since 1917 by Nisei Citizen

FRESNO, Calif.—In the first decision handed down in more than 20 escheat proceedings filed against persons of Japanese ancestry by the State of California and Fresno County for alleged violation of the Alien Land Law, Superior Judge Clark Clement of Hanford on Dec. 13 ordered the confiscation of land to which Tomoye Fujita, American-born daughter of Mr. and Mrs. Sogataro Fujita, holds title.

Judge Clement ruled that the parents of the Nisei girl, who was employed in government work during the war, were in control of the property in violation of the Alien Land Law which prohibits agricultural land ownership by Japanese aliens.

The Fujitas' son, a member of the U. S. Army during the war, was not named in the case.

Attorneys for the defense noted that Miss Fujita served during the war translating foreign broadcasts for the intelligence service of the Federal Communications Commission.

In his ruling Judge Clement said that the elder Fujitas illegally obtained two parcels of farm land through their daughter who is a citizen and is eligible to own property.

The first piece of land, located at Thompson and Butler avenues, was acquired in 1917 in the name of Tomoye, then an infant. The second piece of land, according to the court, was acquired in the name of G. A. McNab.

In both instances, the court ruled the property was held in the names of United States citizens as a subterfuge and that the Japanese parents were in fact the real owners, cultivating the land and controlling its transfer.

In defense of his action, Fujita told the court he bought the first parcel in 1917 in the name of his daughter and held the property for her. Fujita testified he banked in his daughter's name and that a Jack Wrightson did some banking for him.

Fujita was the guardian of his daughter's estate and he said when she became of age in 1938 "I turned whatever I had over to her."

His daughter testified that she banked for her father only once, in Nov. 1945. She said that after the evacuation in 1942 when they were forced to leave the home, people broke into the house, scattered and took their possessions and when she returned, only a few papers such as cancelled bank checks, could be found.

Nisei Player Given Madera Prep Award

MADERA, Calif. — Ken Osaki, star quarterback of the Madera Union high school football team, was awarded the annual "most improved player" award at the football banquet on Dec. 4.

Osaki was one of the best passers in the Yosemite league.

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